

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A COUNTY CENTRAL COMMITTEE TO AUTHORIZE
5 ADDITIONAL PRECINCT COMMITTEE REPRESENTATIVES IN CERTAIN CIRCUMSTANCES; AND
6 AMENDING SECTIONS 13-38-201 AND 13-38-203, MCA."

7

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9

10 **Section 1.** Section 13-38-201, MCA, is amended to read:

11 **"13-38-201. Election or appointment of precinct committee representatives at primary -- when**
12 **additional precinct committee representatives authorized -- vacancies -- tie votes. (1) ~~Each~~ Except as**
13 **provided in subsection (6), each political party shall appoint or elect at each primary election one person of**
14 **each sex to serve as committee representatives for each election precinct. The precinct committee**
15 **representatives must be residents and registered voters of the precinct.**

16 (2) ~~If~~ Except as provided in subsection (6), if a political party chooses to appoint precinct
17 committee representatives, the political party shall make the appointments as provided in the party's rules.

18 (3) If a political party chooses to elect precinct committee representatives, the party may:

19 (a) administer the election itself as provided in the party's rules; or

20 (b) elect precinct committee representatives in a primary election, subject to 13-10-209 and
21 subsection (4) of this section.

22 (4) In a primary election for a precinct committee representative:

23 (a) if the number of candidates nominated for a party's precinct committee representatives is less
24 than or equal to the number of positions to be elected, the election administrator may give notice that a party's
25 precinct committee election will not be held in that precinct;

26 (b) if a party precinct committee election is not held pursuant to subsection (4)(a), the election
27 administrator shall declare elected by acclamation the candidate who filed for the position or who filed a
28 declaration of intent to be a write-in candidate. The election administrator shall issue a certificate of election to

1 the designated party.

2 (c) write-in votes for a precinct committee representative may be counted as specified in 13-15-
3 206(5) only if the individual whose name is written in has filed a declaration of intent as a write-in candidate by
4 the deadline prescribed in 13-10-211(1);

5 (d) in the case of a tie vote for a precinct committee representative position, the county central
6 committee shall determine a winner.

7 (5) ~~Pursuant~~ Except as provided in subsection (6) and pursuant to 13-38-101, a vacancy in a
8 precinct committee representative position must be filled by the party governing body as provided in its rules.

9 (6) (a) If a legislative district constitutes one precinct and the entire legislative district is contained
10 in the county, the county central committee may authorize up to three individuals of each sex to serve as
11 additional committee representatives for that precinct.

12 (b) The additional precinct committee representative positions become effective after the next
13 primary election and may not be filled by appointment until after the primary election occurs.

14 (c) If the county central committee authorizes additional precinct committee representatives, the
15 central committee shall notify the election administrator in writing by December 31 of the year preceding the
16 primary election at which it intends to authorize the additional precinct committee representatives.

17 (d) If the county central committee authorizes a reduction in precinct committee representatives to
18 the minimum required by subsection (1), the county central committee shall notify the election administrator by
19 December 31 of the year preceding the primary election at which the additional positions would otherwise be
20 filled. The reduction in precinct committee representatives is not effective until after that primary election."

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22 **Section 2.** Section 13-38-203, MCA, is amended to read:

23 **"13-38-203. Powers of county and city central committees -- role of state central committee**
24 **where no county central committee exists.** (1) The county and city central committee may:

25 (a) make rules for the government of its political party in each county not inconsistent with any of
26 the provisions of the election laws of this state or the rules of its state political party;

27 (b) elect two county members of the state central committee, one of each gender, elect the
28 members of the congressional committee, and fill all vacancies and make rules in their jurisdiction.

